



Charles M. Walker

U.S. Bankruptcy Judge

Dated: 9/14/2016



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

TIFFANY ROCHELLE MCGARR  
110 HARRIS STREET, APT. #G8  
GOODLETTSVILLE, TN 37072  
SSN: XXX-XX-2177  
Debtor.

)  
)  
) CASE NO. 315-07706  
) CHAPTER 13  
) JUDGE: WALKER  
)  
)  
)

**AGREED ORDER TO MODIFY CHAPTER 13 PLAN TO PROVIDE FOR CLAIM OF  
INLAND BANK FUNDING AS A LONG TERM CLAIM PER § 1322(b)(5)**

BY AGREEMENT OF THE DEBTOR AND CHAPTER 13 TRUSTEE, evidenced by  
the signatures entered below respectively, it is hereby agreed that:

1. The Debtor is authorized to finance with Inland Bank a 2015 Nissan Versa Sedan, VIN# 3N1CN7AP1FL859082 ("motor vehicle"). The amount to be financed is \$12,318.77 at a rate of 22%, to be paid by the Trustee with an ongoing monthly payment of \$340.18 beginning 10/01/2016 as a Class 3 creditor upon the filing of an approved Proof of Claim.
2. The payroll deduction order shall be modified to increase the Debtors' payments to the Trustee from \$320.00 semi-monthly to \$451.00 semi-monthly. The minimum base shall be increased to \$51,788.00 and the plan term shall remain 60 months. Except as set forth herein, all other plan provisions of the Order confirming the Debtors' Chapter 13 plan remain unaffected by this Agreed Order.
3. Debtor shall maintain full coverage insurance on the motor vehicle and list Inland Bank as the loss payee.
4. The Debtor waives discharge of this post-petition debt to Inland Bank. The monthly payments to Inland Bank shall be disbursed with all other secured claims. Inland Bank's claim for post-petition financing is a continuing debt under 11 U.S.C. § 1328(a)(1) and is not subject to discharge thereunder.
5. This claim shall be treated by the Trustee as a long term obligation pursuant to 11 U.S.C. § 1322(b)(5), and the Trustee need not allocate interest and principal in the disbursements to Inland Bank.

6. Accordingly, the Order Confirming Chapter 13 Plan of 12/11/2015 shall be modified to provide that the Debtor's obligation to Inland Bank is a secured obligation and shall be paid directly by the debtor after completion of the Chapter 13 plan pursuant to the terms of the agreement between the Debtor and Inland Bank.
7. The parties further agree that should the Debtor default on the plan payments or insurance, Inland Bank shall notify Debtor and Debtor's counsel of the default and, if the default is not cured within ten (10) days of such notice, Inland Bank may thereupon have relief from the automatic stay of 11 U.S.C. §362(a) by the filing of a "Notice of Default Constituting Order of Relief From Stay" without the necessity of the filing of a motion for a hearing in this Court.
8. No other creditors are affected by this Agreed Order.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY  
AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED FOR ENTRY:

/s/ James A. Flexer  
James A. Flexer  
Debtor's Attorney  
1900 Church Street, Suite 400  
Nashville TN 37203-7203  
615-255-2893  
[cm-ecf@jamesflexerconsumerlaw.com](mailto:cm-ecf@jamesflexerconsumerlaw.com)

/s/ Henry E. Hildebrand, III  
Henry E. Hildebrand, III  
Chapter 13 Trustee  
PO Box 340019  
Nashville, TN 37203-0019  
615-244-1101  
615-242-3241 fax  
[pleadings@ch13nsh.com](mailto:pleadings@ch13nsh.com)

 Digitally signed by /s/ Henry E. Hildebrand, III  
DN: cn=/s/ Henry E. Hildebrand, III, o=Chapter 13 Trustee's Office, ou=Finance (51), email=pleadings@ch13nsh.com, c=US  
Date: 2016.09.13 08:44:10 -05'00'

This Order has been electronically  
signed. The Judge's signature and  
Court's seal appear at the top of the  
first page.  
United States Bankruptcy Court.